

LEGISLATIVE COUNCIL.

No. S. 11.—The following Bill was read a first time at a meeting of the Council held on the 13th January, 1921 :—

A BILL

INTITULED

An Ordinance to authorise the making of by-laws in respect of Holts Wharf.

BE it enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof, as follows :—

Short title. 1. This Ordinance may be cited as the Holts Wharf Ordinance, 1921.

Interpretation. 2.—(a.) “Holts Wharf” means all that piece or parcel of land situate lying and being at Kowloon in the Colony of Hongkong and registered in the Land Office as Kowloon Marine Lot 88, together with the godowns, buildings, piers and other erections situate thereon and thereto belonging.

(b.) An “Official” includes only the persons acting in the following capacities in the employment of the person, firm or company for the time being acting as the Manager of Holts Wharf or any of them, namely, general manager, manager, shipping manager, assistant shipping manager, chief clerk, secretary, accountant, wharf manager, assistant wharf manager, berthing manager, engineer, wharfinger, and cargo superintendent.

(c.) For the purpose of this Ordinance if the Colonial Secretary shall give notice in the *Gazette* that any person, firm or company is acting as the Manager of Holts Wharf, such person, firm or company shall be deemed to be so acting from the date of such notice so appearing until revocation by the Colonial Secretary of such notice is published in the *Gazette*.

By-laws. 3.—(1.) The Governor in Council shall have power to make by-laws in connection with the conduct of the business of Holts Wharf and the maintenance of order and safety thereon, and such by-laws may prohibit, conditionally or otherwise, the usage by passengers or by the public of the godowns, buildings, piers and premises situate on Holts Wharf, anything contained in section 12 of the Piers Ordinance, 1899, to the contrary notwithstanding.

Ordinance No. 11 of 1899.

(2.) A copy of the by-laws so made clearly printed in English and Chinese shall be posted in a conspicuous place on the premises.

(3.) All by-laws made under this Ordinance shall be laid on the table of the Legislative Council at the first meeting thereof held after the publication in the *Gazette* of the making of such by-laws, and if a resolution be passed at the first meeting of the Legislative Council held after such by-laws have been laid on the table of the said Council resolving that any such by-law shall be rescinded, or amended in any manner whatsoever, the said by-law shall, without prejudice to anything done thereunder, be deemed to be rescinded, or amended as the case may be, as from the date of publication in the *Gazette* of the passing of such resolution.

Penalty. 4. Every person who commits a breach of any such by-laws shall on summary conviction be liable to a fine not exceeding two hundred and fifty dollars.

5. Nothing herein shall affect or be deemed to affect the rights of His Majesty the King, his heirs or successors, or of any bodies politic or corporate, or other persons, except such as are mentioned in this Ordinance and those claiming by, from or under them. Saving of
rights of
Crown and
others.

Objects and Reasons.

1. The object of this Bill is to give the Governor in Council power to make by-laws for the maintenance of order and safety in the conduct of the business carried on at Holts Wharf.

2. The general law is not quite suitable for this purpose, and this was recognised in the case of the Hongkong and Kowloon Wharf and Godown Co., Ltd., who were granted a special Ordinance for a similar purpose in 1908.

3. The power of making by-laws has been given in this case to the Governor in Council because the management of Holts Wharf is not in the hands of a legal entity, such as a company.

4. Clause 5 is formal.

5. A draft of the proposed by-laws is published with the bill.

J. H. KEMP,
Attorney General.

31st December, 1920.

**Draft
BY-LAWS.**

By-laws made by the Governor in Council under section 3 of the Holts Wharf Ordinance, 1921, Ordinance No. of 1921, on the day of , 1921.

1. No person unless in the employment of the Manager of Holts Wharf or belonging to or having business with vessels alongside shall enter or be upon any of the piers or premises of Holts Wharf without the licence of an Official.

2. No merchandise, cargo, coal, waggon, carriage, cart, truck or other conveyance shall be taken on to any of the piers or premises of Holts Wharf without the licence of an Official.

3. No nuisance of any description shall be committed on or about any of the piers or premises of Holts Wharf.

4. No steamer, vessel, launch, boat, junk, sampan or other craft of any description (other than vessels belonging to the Harbour Department or Police) shall make fast to, or hold on to, or lay alongside of or block the approaches to any of the piers or premises of Holts Wharf without the licence of an Official.

5. No craft of any kind shall make fast broadside on the Praya Wharf of the premises without the licence of an Official.

6. No person shall smoke inside any of the buildings on Holts Wharf.

7. The steps leading to the wharves on Holts Wharf shall not be used for landing or delivering cargo and not more than two launches shall lie alongside the said steps at the same time.